

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK----- X  
:  
IVAN CAPLAN et al., :  
:Plaintiffs, :  
:24-CV-7996 (JMF)  
:-v- :  
:ORDER  
:SEAN DOLLINGER et al., :  
:Defendants. :  
:  
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JESSE M. FURMAN, United States District Judge:

On March 14, 2025, Defendant filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.


Accordingly, it is hereby ORDERED that, notwithstanding the briefing schedule adopted on February 27, 2025, ECF No. 74, Plaintiffs shall file any amended complaint by **April 4, 2025**. Pursuant to Local Civil Rule 15.1, available at <https://www.nysd.uscourts.gov/rules>, any amended complaint should be filed with a redline showing all differences between the original and revised filings. Plaintiffs will not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss.

If Plaintiffs do amend, by three (3) weeks after the amended complaint is filed, Defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that they rely on the previously filed motion to dismiss. If Defendants file an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot. If Defendants file a new motion to dismiss or indicate that they rely on their previously filed motion to dismiss, any opposition shall be filed within **thirty days** and any reply shall be filed within **fourteen days** of any opposition.

If no amended complaint is filed, the existing briefing schedule shall remain in effect, pursuant to which Plaintiff shall file any opposition to the motion to dismiss by **April 17, 2025**, and Defendant shall file any reply by **May 1, 2025**. See ECF No. 74.

The deadline for Plaintiffs to file any reply in support of their Motion for a Temporary Restraining Order, Preliminary Injunction, and Attachment, see ECF No. 8, remains **April 17, 2025**.

SO ORDERED.

Dated: March 17, 2025  
New York, New York
  
JESSE M. FURMAN  
United States District Judge